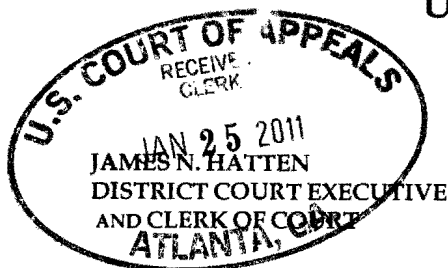


UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA  
2211 UNITED STATES COURTHOUSE  
75 SPRING STREET, SW  
ATLANTA, GEORGIA 30303-3361



DOCKETING SECTION  
404-215-1655

January 20, 2011

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FEB - 1 2011

JAMES N. HATTEN, Clerk  
By: *[Signature]*

John Ley, Clerk of Court  
U.S. Court of Appeals, Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

U.S.D.C. No.: 1:09-cv-2700-JEC  
U.S.C.A. No.: 00-00000-00

**11-10314 HH**

In re: Cloys Haynes, et al. v. Cyberonics, Inc.

Enclosed are documents regarding an appeal in this matter. Please acknowledge receipt on the enclosed copy of this letter.

☒ Certified copies of the notice of appeal, docket sheet and order appealed enclosed.

☐ This is not the first notice of appeal. Other notices were filed on: .

☒ There is no transcript.

☐ The court reporter is .

☐ There is sealed material as described below: .

☐ Other: .

☒ Fee paid on 1/18/2011; Receipt No. 113E-3089483.

☐ Appellant has been leave to file *in forma pauperis*.

☐ This is a bankruptcy appeal. The Bankruptcy Judge is .

☐ The Magistrate Judge is .

☒ The District Judge is Julie E. Carnes.

☐ This is a **DEATH PENALTY** appeal.

Sincerely,

James N. Hatten  
District Court Executive  
and Clerk of Court

By: /s/ Kimberly Carter  
Deputy Clerk

Enclosures

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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JOHN PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

For rules and forms visit  
[www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

FEB - 1 2011  
JAMES N. HATTEN, Clerk  
By: *[Signature]*

January 28, 2011

Willis Bryant Green  
Attorney at Law  
303 Peachtree Street, Suite 4100  
Atlanta, GA 30308

Appeal Number: 11-10314-H  
Case Style: Cloys Haynes, et al v. Cyberonics, Inc.  
District Court Docket No: 1:09-cv-02700-JEC

**CIVIL APPEALS ARE GOVERNED BY STRINGENT PROCEDURES FOR REQUESTING EXTENSIONS OF TIME TO FILE BRIEFS AND RECORD EXCERPTS. RULES PROVIDE FOR DISMISSAL WITHOUT FURTHER NOTICE WHEN A BRIEF OR RECORD EXCERPTS IS NOT FILED OR CORRECTED WITHIN THE TIME PERMITTED. PLEASE SEE THE CIRCUIT RULES AT WWW.CA11.USCOURTS.GOV**

The referenced case was docketed in this court on January 25, 2011. Please use the appellate docket number noted above when making inquiries. Motions for extensions of time to file a brief are frowned upon by the court.

Pursuant to 11th Cir. R. 12-1, the record in this appeal was deemed completed and filed on the date the appeal was docketed in this court.

Eleventh Circuit Rule 31-1 requires that APPELLANT'S BRIEF AND RECORD EXCERPTS BE SERVED AND FILED ON OR BEFORE March 7, 2011. March 7, 2011.

This is the only notice you will receive concerning the due date for filing briefs and record excerpts. (In cross-appeals pursuant to Fed.R.App.P. 28(h), the party who first files a notice of appeal is the appellant unless the parties otherwise agree.) See Fed.R.App.P. 28, 30, 31 and 32, and the corresponding circuit rules, for further information on preparing briefs and record excerpts.

In addition to providing the required number of paper copies of briefs, all parties (except pro se parties) are required, additionally, to provide briefs in electronic format as described in 11th

Cir. R. 31-5 and the instructions provided on the court's Web site. Electronic briefs must be in Adobe Acrobat ® PDF file format. The electronic brief must be completely contained in one PDF file, i.e., cover page through and including the certificate of service. An EDF ID number is needed to upload your brief. If you don't already have an EDF number, PLEASE CONTACT THE CLERK'S OFFICE AT (404) 335-6399. When uploading a brief for the first time, you will be prompted to register and create a password known only by you for all future uploads.

Attorneys who wish to participate in this appeal must be properly admitted either to the bar of this court or for this particular proceeding pursuant to 11th Cir. R. 46-1. An attorney not yet properly admitted must file an appropriate application for admission within fourteen (14) days from this date. In addition, all attorneys (except court-appointed counsel) who wish to participate in this appeal must complete and return an appearance form within fourteen (14) days. Application for Admission to the Bar and Appearance of Counsel Form are available on the Internet at [www.cali.uscourts.gov](http://www.cali.uscourts.gov) . The clerk may not accept motions or other filings from an attorney until that attorney files an appearance form. See 11th Cir. R. 46-5.

11th Cir. R. 33-1(a) requires appellant to file a Civil Appeal Statement in most civil appeals. You must file an original and one copy of a completed Civil Appeal Statement, with service on all other parties, within 14 days from the date of this letter. Civil Appeal Statement forms are available on the Internet at [www.cali.uscourts.gov](http://www.cali.uscourts.gov) , and as provided by 11th Cir. R. 33-1(a).

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Walter Pollard, H  
Phone #: (404) 335-6186

DKT-7CIV Civil-ND Crim Early Briefing